

## Message Text

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ACTION L-03

INFO OCT-01 EUR-25 ADP-00 CAB-09 CIAE-00 COME-00 DODE-00

EB-11 INR-10 NSAE-00 RSC-01 FAA-00 IO-13 DOTE-00

OIC-04 PM-07 H-03 NSC-10 PA-03 PRS-01 SS-15 USIA-15

NEA-10 RSR-01 /142 W

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R 201600Z AUG 73

FM AMEMBASSY THE HAGUE

TO SECSTATE WASHDC 1864

INFO AMEMBASSY BERN

AMEMBASSY COPENHAGEN

AMEMBASSY HELSINKI

AMEMBASSY LONDON

AMCONSUL MONTREAL

AMEMBASSY OSLO

AMEMBASSY PARIS

AMEMBASSY ROME

AMEMBASSY STOCKHOLM

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MONTREAL FOR US REP ICAO

E.O. 11652: N/A

TAGS: PINS, PFOR, ETRN

SUBJECT: CIVAIR: ICAO EXTRAORDINARY ASSEMBLY/DIPLOMATIC  
CONFERENCE, ROME

REFERENCE: STATE 157132

SUMMARY. DUTCH ARE THINKING ALONG LINES OF SUPPORTING BOTH INDEPEND-  
ENT CONVENTION AND AMENDMENT OF CHICAGO CONVENTION, BUT THEY HOLD  
THAT, GIVEN A CHOICE BETWEEN THE TWO, AMMENDMENT IS PREFERABLE AND  
SHOULD NOT BE SUBJECTED TO AGREEMENT ON INDEPENDENT CONVENTION.  
ISRAELI TREATMENT OF IRAQI AIRCRAFT SEEN AS ADDING PROBLEM TO ROME  
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MEETINGS. ACTION REQUESTED: COMMENTS ON DUTCH PROPOSAL RE AMEND-

MENT. END SUMMARY.

1. IN LUNCHEON CONVERSATION WITH MOK WE POINTED OUT NEED FOR CONSENSUS OF AIR SERVICE STATES ON OBJECTIVES ON JOINT MEETINGS IN ROME, VALUE OF POSITIVE TRADE-OFF OF SUPPORT FOR EACH OF PROPOSED AGREEMENTS, VALUE OF HAVING AGREEMENTS WITH BOTH IMMEDIATE AND LONG-RANGE EFFECTS, AND PROCEDURAL OBJECTIVE THAT EACH OF TWO SEPARATE CONFERENCES SHOULD COME UP WITH POSITIVE RESULT.

2. MOK FULLY AGREED WITH VALUE OF INDEPENDENT CONVENTION AS VEHICLE FOR EARLY INTERNATIONAL ACTION AND INDICATED THAT GON WOULD SUPPORT IT. HE FELT THAT IT HAS LITTLE CHANCE OF SUCCESS, HOWEVER, SINCE AFRICANS AND ARABS ARE STRONGLY AGAINST IT, SOME OTHER LDC'S DO NOT SUPPORT IT, AND UK AND FRANCE SEEM TO BREAK THE RANKS OF MAJOR AIR SERVICE STATES. (HE WAS PLEASED TO HEAR OF OUR INDICATIONS THAT BRITISH MIGHT SUPPORT CONSENSUS IN FAVOR OF BOTH INDEPENDENT CONVENTION AND AMENDMENT OF CHICAGO CONVENTION, AND RELATED THAT HE HAD RECEIVED TWO PERSONAL INDICATIONS THAT FRANCE "WOULD NOT OPPOSE" INDEPENDENT CONVENTION). HE EXPECTED (SUBJECT TO INTERMINISTERIAL CONFIR-

MATION) THAT GON WOULD BE IN POSITION TO CONTINUE SUPPORT FOR INDEPENDENT CONVENTION INCLUDING FINAL VOTE BUT RULED OUT SUBJECTING AMENDMENT

TO CONCLUSION OF INDEPENDENT CONVENTION. IN GON VIEW AMENDMENT OF CHICAGO CONVENTION IS STRONGER MEASURE THAN INDEPENDENT CONVENTION AND MORE POSSIBLE TO ACHIEVE. SINCE AMENDMENT CARRIES SANCTIONS AND INDEPENDENT CONVENTION NOW DOES NOT, DUTCH WOULD BE UNWILLING TO STAKE

SUCCESS OF ROME MEETINGS ON LATTER. MOK STRESSED IMPORTANCE WHICH DUTCH ASCRIBE TO THEIR PROPOSED ALTERATION OF PROPOSED AMENDMENT. REGARDING RATIFICATIONS, HE SUGGESTED THAT AGREED AMENDMENT OF CHICAGO CONVENTION WITH FOLLOW-THROUGH BY ICAO WOULD STAND BETTER CHANCE OF COMING INTO FORCE THAN INDEPENDENT CONVENTION, EVEN THOUGH LATTER HAS WEAKER EFFECT.

3. MOK EXPRESSED CONCERN WITH U.S. "CONDITION" SET OUT AT OPENING OF SEVENTH PARAGRAPH OF OUR AIDE-MEMOIRE. HE FELT IT UNBELIEVABLE THAT USG WOULD WITHHOLD SUPPORT FROM AND PROBABLY KILL AMENDMENT OF CHICAGO CONVENTION IF INDEPENDENT CONVENTION NOT PASSED. HE FELT LIMITED OFFICIAL USE

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THAT CONDITION WOULD BE INTERPRETED AS BLUFF AND WOULD HAVE LITTLE OR NO POSITIVE EFFECT.

4. MOK SAW ISRAELI CAPTURE OF IRAQI AIRCRAFT AS HAVING UNFORTUNATE EFFECT ON ROME MEETINGS. FIRSTLY, IT WOULD TEND TO ADD POLITICAL ATMOSPHERE TO MEETINGS AND PROBABLY CONSUME SEVERAL DAYS TIME.

SECONDLY, ARABS WILL PRESS FOR IMMEDIATE SANCTIONS AGAINST ISRAEL, AND

ANY SUPPORT FOR IMMEDIATE SANCTIONS WILL OPERATE AGAINST DESIRED  
AGREEMENT BECAUSE APPROVAL OF AGREEMENT WILL IMPLY THAT SANCTION CANNOT

BE LAID DOWN UNTIL AGREEMENT IS IN FORCE.

5. WHILE AMENDMENT HAS FAR BETTER CHANCE THAN INDEPENDENT CONVENTION,

ITS SUCCESS DEPENDS TO IMPORTANT EXTENT ON SOVIET ATTITUDE, ACCORDING  
TO MOK.

6. COMMENT: DUTCH CLEARLY BELIEVE AMENDMENT OF CHICAGO IS ONLY  
POSSIBILITY FOR CONSTRUCTIVE FINAL AGREEMENT BUT HOPE TO BE ABLE TO  
SUPPORT IDEA OF CONSENSUS BASED ON INDEPENDENT CONVENTION AND AMEND-  
MENT. DUTCH PLAN ARRIVE ROME 27 AUGUST. USDEL MAY WISH CONTACT THEM  
ON THIS AS WELL AS OTHER POINTS.

7. MOK ASKED FOR USG COMMENTS ON DUTCH PROPOSAL ALTERNING AMENDMENT  
TO CHICAGO CNVENTION, ESPECIALLY NOTING CORRIGENDUM CIRCULATED  
LATER. REQUEST COMMENTS.

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